

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50395 of 2023

Arising Out of PS. Case No.-136 Year-2022 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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Sunil Tanti @ Sunil Kumar Son of Bangali Tanti Resident of village - Panchi,
P.S. - Shekhopur Sarai, Distt. - Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar
For the Opposite Party/s : Mr. Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 23-08-2023 Heard the learned counsel for the petitioner and

the State.

2. The present petition has been filed on behalf of

the petitioner, apprehending his arrest, in connection with

Sheikhopur Sarai P. S. Case No. 136 of 2022, registered

for the offences punishable under Sections 419, 420, 467,

468, 471, 406, 120(B) and 34 of the Indian Penal Code.

3. The prosecution story in brief is that the police

upon confidential information that some people have

assembled for cheating the innocent persons by offering

them job in Himalaya Company and also providing them loan

from Bajaj Finance, raided the place and apprehended 3



persons. Those who were apprehended gave the name of other persons, who managed to escape, the petitioner being one of them.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the alleged FIR is based only on the basis of suspicion and there is no complaint by any public against the accused persons. He also submits that similarly situated co-accused persons have already been enlarged on bail by different Benches of this Court *vide* orders dated 28.07.2023, 11.08.2023 and 11.08.2023, passed in Cr. Misc. No. 40740 of 2023, Cr. Misc. No. 49859 of 2023 and Cr. Misc. No. 47527 of 2023, respectively.

5. It is also stated in paragraph no. 2 of the petition that no similar petition has been earlier filed by the petitioner either before this Court or before Hon'ble Apex Court.

6. It has further been stated that the petitioner has been made accused in five other cases.



7. However, the learned APP for the State has opposed the prayer for bail.

8. Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Chief Judicial Magistrate, Sheikhpura, in connection with Sheikhpur Sarai P. S. Case No. 136 of 2022, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has criminal antecedent other than the disclosed one, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court



below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

9. The application stands allowed accordingly.

10. The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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